

FEDERAL DEFENDANTS'
DECLARATION OF
DENNIS KOVAR

ATTACHMENT A

Wagner v. U.S. Dep't of Energy
Civil No. 08-00136-HG-KSC (D. Haw.)



Siège: Genève, Suisse

GENEVA, SWITZERLAND

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Geneva 15 April 2008

Our ref.: SC-DI/MB/ma/2008-013

Dear Dr Kovar,

In response to the question asked by the Department of Energy, whether the documentation established by CERN on LHC safety to which you were given access (i.e. "Rapport Provisoire de Sûreté des installations SPS/CNGS et LHC" and "Règles Générales d'Exploitation des installations SPS/CNGS et LHC") has been accepted by the Host State authorities, please find herewith the following explanation.

By virtue of its status as intergovernmental Organization, CERN has defined safety regulations based on the highest international safety standards, which are also applied in its Host States, Switzerland and France.

Even though national safety procedures are not directly applicable to the Organization, it collaborates closely with the authorities of its two Host States, in particular to ensure the safe operation of its installations. Regular tripartite meetings are held with the authorities of these States, where all relevant safety and environmental issues are discussed.

The above-mentioned documentation shows the solutions that CERN has implemented to ensure the safety of the LHC. It was examined by the French radiation safety authority, in application of an International Agreement concluded by CERN and France providing for close collaboration between the Organization and France on radiation protection. The same documentation was made available and discussed with the corresponding Swiss authority.

After thorough examination of those documents, the French radiation safety authority has confirmed in writing to CERN's Director-General that it had no objection to the findings laid down in the documentation prepared by the Organization, which concluded that exists no safety risk exists. For their part, the Swiss authorities have also expressed their agreement at one of the above-mentioned tripartite meetings on radiation safety.

I trust that the above information will allow you to establish that the complaint is entirely unfounded.

Thank you for your assistance in this matter.

Yours sincerely,

Maurizio Bona
Head of the Safety Commission